

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

RONALD C. RHONE,	)	
	)	CASE NO. 1:11CV2428
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
MICHAEL J. ASTRUE,	)	
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	<b><u>MEMORANDUM OF OPINION</u></b>
Defendant.	)	<b><u>AND ORDER</u></b>

An Administrative Law Judge (“ALJ”) denied Plaintiff Ronald C. Rhone’s applications for Supplemental Security Income and Disability Insurance Benefits after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and this Court referred the case to Magistrate Judge Nancy A. Vecchiarelli for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). The Magistrate Judge submitted a Report and Recommendation ([ECF No. 17](#)) recommending that the Court reverse the Commissioner’s decision and remand the case so that an ALJ may obtain the testimony of a vocational expert upon which to base a step five finding. [Id. at 21](#).

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. On August 20, 2012, the Commissioner filed a Response to

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the Report and Recommendation ([ECF No. 18](#)), which states that the Commissioner will not be filing objections. Furthermore, Plaintiff has not filed any objections, evidencing satisfaction with the Magistrate Judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn, 728 F.2d 813 \(6th Cir. 1984\)](#), [aff'd, 474 U.S. 140 \(1985\)](#); [Howard v. Secretary of Health and Human Services, 932 F.2d 505 \(6th Cir. 1991\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#).

Accordingly, the report and recommendation of the Magistrate Judge is hereby adopted. The Court reverses the decision of the Commissioner of Social Security and remands this case to the Commissioner so that an ALJ may obtain the testimony of a vocational expert upon which to base a finding at step five of the sequential evaluation of the evidence.

IT IS SO ORDERED.

August 22, 2012  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge